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TAGS: [PREL](#) [PTER](#) [PHUM](#) [PINR](#) [KAWC](#) [LO](#)
SUBJECT: AMBASSADOR WILLIAMSON DISCUSSES ICTY/R AND
GUANTANAMO DETAINEES IN BRATISLAVA

REF: A. STATE 37005
[1](#)B. BRATISLAVA 195

Classified By: Ambassador Rodolphe Vallee for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary. Ambassador-at-large for War Crimes Issues Clint Williamson visited Bratislava on April 23-24, 2007 for meetings with MFA interlocutors to discuss the close out of the International Criminal Tribunals for Yugoslavia and Rwanda, the upcoming election of a new ICTY Prosecutor, and the possible transfer of low-medium threat detainees from Guantanamo Bay to European countries. End summary.

[1](#)2. (U) Ambassador Williamson met separately with Deputy Foreign Minister Diana Strofova and her staff; with Emil Kuchar, Director of the Human Rights Department; and with Ambassador Igor Grexa, Director General for Legal and Consular Affairs, who was accompanied by Dr. Milan Kollar, Director of the International Law Department, Peter Klanduch, a specialist in international criminal tribunals, and Ambassador Vladimir Lomen from the UNSC Coordination Unit.

ICTY/ICTR CLOSE OUT

[1](#)3. (U) The planned close-out of the ICTY and ICTR and ways forward on legacy issues were discussed in all three meetings. All interlocutors expressed interest in residual issues related to the closing of the tribunals. State Secretary Strofova and the Director General and staff of the

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International Law Department all promised to begin consideration of the issues and to work with USG counterparts in New York, Washington and Bratislava to reach a common position. They likewise all stressed, however, that most important would be for the EU to reach a common position. Ambassador Williamson, however, noted that, although the United States would seek input broadly, decisions would ultimately be made in the UN Security Council. Klanduch in particular seemed well informed about the legacy and residual issues involved, and will be a valuable interlocutor within the GoS.

[1](#)4. (C) Kuchar, who is leaving his position in May to become Slovakia's representative to the Council of Europe, said EU level decisions on both ICTY/ICTR close-out and the election of a new ICTY Prosecutor would more likely be made by the European Commission than by the EU Presidency, and recommended that USG concentrate its lobbying efforts at that institution. Kuchar recommended that Post begin to engage MPs on both issues and specifically recommended Boris Zala (Smer-SD), Miroslav Ciz (Smer-SD), Rafael Rafaj (SNS), Zdenka Kramplova (LS-HzDS), Pal Csaky (SMK), and Jan Carnogursky

(KDH) as appropriate interlocutors.

ELECTION OF A NEW PROSECUTOR FOR ICTY

15. (C) Strofova and Grexa both said they understood our message in support of ICTY Deputy Prosecutor David Tolbert as the next ICTY Prosecutor but made no commitment to support him and again emphasized that this issue will be discussed -- and hopefully agreed upon -- at the EU level. Kuchar was particularly sharp in his criticism of current ICTY Prosecutor Carla Del Ponte.

TRANSFER OF GUANTANAMO DETAINEES TO EUROPE

16. (C) Strofova and her staff asked several questions about the Guantanamo detainees the U.S. is seeking to transfer to European countries, and gave indications that the request is being treated seriously by the GoS. Strofova said the request is currently with the Interior Ministry, but that the GoS is aware that it owes the U.S. an answer on this issue and that one will be forthcoming as soon as possible. (Comment. As per ref B, post continues to evaluate the chances of Slovakia accepting transfers from Guantanamo Bay as poor. End comment.)

17. (U) This cable has been cleared by Ambassador Clint Williamson's office.
VALLEE